

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

EFE ERCELIK,

Petitioner,

v.

PATRICIA HYDE, Acting Director of Boston Field Office, U.S. Immigration and Customs Enforcement; KRISTI NOEM, Secretary of the U.S. Department of Homeland Security; PAMELA BONDI, Attorney General of the United States; in their official capacities,

Respondents.

Civil Action No. 1:25-cv-11007

PETITIONER’S MOTION FOR TEMPORARY RESTRAINING ORDER

Mr. Efe Ercelik, Petitioner, respectfully request that the Court grant his Motion for a Temporary Restraining Order. The grounds for this motion are set forth in the accompanying memorandum of law, exhibits in support thereof, the Petition, and the applicable law. A proposed order also accompanies this motion.

This motion is being filed on Wednesday, April 23, 2025. The following dates are critical to the timing of adjudication of this motion. Petitioner, Mr. Ercelik, is currently in the constructive custody of the Respondents, confined to his home in Sunderland, Massachusetts and is required to appear in person at the Eastern Hampshire District Court in Belchertown, Massachusetts on May 7, 2025 at 9:00 A.M. Petitioner is scheduled to depart from Boston Logan International Airport direct to his home country of Turkey on May 7, 2025 at 9:35 P.M. Pursuant to court scheduling order the parties have been ordered to appear for Motions at

11:00AM on April 29, 2025 for a motion hearing. Petitioner respectfully requests this Motion for Temporary Restraining Order be heard at that time.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(d), Petitioner believes that oral argument may assist the Court.

Respectfully submitted,

/s/ Rachel M. Self

Rachel M. Self

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Dated: April 23, 2025

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(a)(2)

I certify that, in accordance with Local Rule 7.1(a)(2), I emailed Mark Sauter, Assistant United States Attorney of the United States Attorneys' Office for the District of Massachusetts on April 17, 2025 to advise him of the instant litigation, including the desire to resolve these issues amicably so that Petitioner could resolve his criminal proceedings and fly home to Turkey short of seeking injunctive relief. He replied he would try to get information from his client regarding their "intended plan". On April 18, 2025 I followed up with him via email and he advised me he would pass my communication along to his client. On April 21, 2025 I followed up again via email and was advised that his client had not responded to him but that he would be timely filing an opposition to Petitioner's Habeas petition. I received the government's opposition on April 21, 2025. On April 22, 2025 I emailed requesting a conference pursuant to Mass. L.R. 7.1(a)(2) and 37.1 and requested he let me know a good time to speak and I received an auto-response that he was out of the office for the day. This communication was an attempt to resolve the issues raised in this motion. On April 23, 2025 Mr. Sauter and I were able to connect and conference the matter and we were unable to resolve the issues raised in the motion. Mr. Sauter is aware that the court set this matter down for a motion hearing on April 29, 2025 at 11:00AM. I advised Mr. Sauter that I will be filing this motion today along with an amended complaint for the case.

s/ Rachel Self
Rachel Self